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Craig L. Fuller
Assistant to the President
for Cabinet Affairs
456–2823

☐ Becky Norton Dunlop Director, Office of Cabinet Affairs 456–2800 DCI EXEC REG

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THE WHITE HOUSE

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MEMORANDUM FOR THE PRESIDENT

FROM:

Edwin Meese, Chairman Pro Tempore

Cabinet Council on Management and Administration

SUBJECT:

Reauthorization of the Office of Federal

Procurement Policy

In the next tew weeks. Administration officials will be testifying on the reauthorization of the Office of Federal Procurement This document requests your guidance and approval of the proposed Administration position on this issue.

Background

OFPP's statutory authorization expires September 30, 1983. At the CCMA meeting on March 18, 1983, OFPP reauthorization was discussed, and the Council concluded that the Administration should support reauthorization, but preferably as a more integrated element of CMB (in lieu of continuing it in its current, somewhat independent status). H.R. 2293, introduced on March 23, confirmed the preference of Congressmen Brooks, (D-Tex) and Horton (R-NY) for a separate OFPP organization.

Current Status

H.R. 2293 would reauthorize OFPP in its present organizational form for three years and provide it with regulatory authority in addition to its existing policy role. The House Government Operations Committee held hearings on April 7 at which OMB, OFPP, GAO. GSA, the American Bar Association, and several industry associations testified. While generally supporting the bill, Administration spokesmen recommended several modifications, including removal of the proposed regulatory authority provisions. Markup of the bill is scheduled to be completed on April 28.

On April 7, Senators Roth (R-Del) and Cohen (R-Me) introduced an OFPP reauthorization bill (S. 1001) which would reauthorize OFPP with its current mission and functions, for five years. Hearings have been scheduled for April 27.

Options

Because the process of reauthorizing OFPP is not yet complete, the Administration can still influence legislation which will determine OFPP's role and mission for the next several years.

- 1. Support S. 1001 and work with its co-sponsors (principally Senator Cohen) to shape it more to the Administration's views. As noted by Senator Cohen, passage of S. 1001 in its introduced form is not intended. The bill provides for a 5-year renewal of OFPP without changing any other provisions of the current authorization. Many of the provisions in the current authorization are clearly out-of-date and will need revision. (For example, it calls for development of the Uniform Federal Procurement System, which was completed and submitted to Congress over a year ago.)
- 2. Since H.R. 2293 is not yet in markup, seek the help of sympathetic Committee members to incorporate the changes recommended in the Administration's testimony. If successful, urge its adoption by the House. If unsuccessful, revert to Option 1. (Options 1 and 2 are not mutually exclusive, and can be pursued simultaneously or in sequence.)
- 3. Draft separate legislation and seek Senate sponsorship of a bill which would (1) reauthorize OFPP for five years, (2) transfer the Federal Acquisition Institute to GSA, (3) provide for testing authority of new procurement concepts, and (4) not provide for procurement regulatory authority. The passage of time makes this option a less viable alternative. Introduction of an additional bill, moreover, might confuse the situation and split the Administration's potential allies, especially in the Senate.

Recommendations

That the Adm	inistration	pursue	Options	1	and	2	simultaneously.
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